

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF West Lilac, TM 5276RPL³

September 14, 2006

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES
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NO
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NOT APPLICABLE/EXEMPT
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The proposed project and off-site improvements are located outside of the boundaries of the County's Multiple Species Conservation Program (MSCP) and within the draft boundaries of the future North County MSCP. However, the project and all associated off-site improvements would not affect any habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance. Furthermore, the project is not located within any future preserve assembly and is mapped as "low-value/agriculture" on the habitat evaluation model. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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The proposed project and any off-site improvements related to the proposed project are located outside of the boundaries of the Multiple Species Conservation Program. Therefore, conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance is not required.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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The project will obtain its water supply from the Rainbow Municipal Water District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

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| The wetland and wetland buffer regulations (Article IV, Sections 1 & 2) of the Resource Protection Ordinance? | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> | NOT APPLICABLE/EXEMPT <input type="checkbox"/> |
| The Floodways and Floodplain Fringe section (Article IV, Section 3) of the Resource Protection Ordinance? | YES <input type="checkbox"/> | NO <input type="checkbox"/> | NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/> |
| The Steep Slope section (Article IV, Section 5)? | YES <input type="checkbox"/> | NO <input type="checkbox"/> | NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/> |
| The Sensitive Habitat Lands section (Article IV, Section 6) of the Resource Protection Ordinance? | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> | NOT APPLICABLE/EXEMPT <input type="checkbox"/> |
| The Significant Prehistoric and Historic Sites section (Article IV, Section 7) of the Resource Protection Ordinance? | YES <input type="checkbox"/> | NO <input type="checkbox"/> | NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/> |

Wetland and Wetland Buffers:

Two wetlands as defined by the Resource Protection Ordinance (RPO) occur on the project site. One is an unvegetated drainage that traverses the western side of the project. This wetland is highly disturbed due to agricultural uses but supports hydric soils and hydrology. The drainage will be protected in an open space easement along with a 25-foot biological buffer. The second wetland crosses the northeast corner of the property and supports Southern Coast Live Oak Riparian Forest. The section of the drainage that crosses the site will be preserved in open space along with a 100-foot wetland buffer. Therefore, the project complies with Article IV, Sections 1 and 2 of the RPO.

Floodways and Floodplain Fringe:

No floodways or floodplain fringe as defined by the Resource Protection Ordinance (RPO) occur on-site or near the off-site road improvements. Therefore, Article IV, Section 3 of the RPO does not apply to the project.

Steep Slopes:

The project site does not have any steep slopes as defined by the Resource Protection Ordinance (RPO). Therefore, Article IV, Section 5 of the RPO does not apply to the project.

Sensitive Habitats:

Sensitive habitat lands were identified on the site in association with the wetland on the northeast corner of the site. This wetland supports Southern Coast Live Oak Riparian Forest, which would qualify as a Sensitive Habitat Land in the Resource Protection Ordinance (RPO). However, the project will not complete any development, grading, grubbing, clearing, or any other activity that will damage the sensitive habitat lands. All

of the Southern Coast Live Oak Riparian Forest will be preserved within biological open space. Therefore, it has been found that the proposed project complies with Article IV, Item 6 of the RPO.

Significant Prehistoric and Historic Sites:

Based on an analysis of County of San Diego archaeology resource files, archaeological records, maps, and aerial photographs by County of San Diego staff archaeologist Gail Wright, it has been determined that the project site does not contain any archaeological resources. Therefore, Article IV, Section 7 of the Resource Protection Ordinance (RPO) does not apply to the project.

V. STORMWATER ORDINANCE (WPO) - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES

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NO

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NOT APPLICABLE

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A Stormwater Management Plan (SWMP) dated May 25, 2005 was prepared by Walsh Engineering and Surveying, Inc. The Department of Public Works (DPW) has accepted this SWMP, which is a living document to be updated to reflect any changes during the project final plan review and throughout the life of the project. As such, the project is in compliance with the WPO.

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES

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NO

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NOT APPLICABLE

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The proposal would not expose people to nor generate potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element of the General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations.

Transportation (traffic, railroad, aircraft) noise levels at the project site are not expected to exceed Community Noise Equivalent Level (CNEL)=60 decibels (dB) limit because review of the project indicates that the project is not in close proximity to a railroad and/or airport. Additionally, the County of San Diego GIS noise model does not indicate that the project would be subject to potential excessive noise levels from circulation element roads either now or at General Plan buildout. Noise impacts to the proposed project from adjacent land uses are not expected to exceed the property line sound level limits of the County of San Diego Noise Ordinance.